

REMARKS

Claims 1-15 are pending in this application. Claims 1, 4, 7, 9, and 11 have been amended. Claims 14-15 have been added.

The priority objections presented in the Action are duly noted. The attached application data sheet has corrected the reference to the International Application requested for the Declaration. See 37 C.F.R. § 1.63 (c). The priority claim to Japanese application 11-308750 has been inserted into the specification as requested by the examiner. A copy of the priority application will be filed in due course. With regard to the assertion that inventorship does not match with the PCT application, it is noted that it appears that the Action may mistakenly read the patent agent (Hiroaki Sakai) as one of the inventors of the PCT application (JP 0007312) as the PCT application and the currently filed oath/declaration do indeed have matching inventive entities, Matsumoto Wataru and Yoskikuni Miyata (see page 2 of the PCT cover sheet). For the above reasons, it is respectfully submitted that the objections to the declaration have been overcome by this response.

With respect to the drawings, in amended Figures 8, 9, a label of "Prior Art" has been added. In amended Figure 6, the previously omitted element numeral 25 has been added. In amended Figure 1, previously omitted elements 3, 4, which are both disclosed in the

specification and claims, have been added to the drawings as requested by the examiner.

The specification has been amended to overcome the objections made by the examiner. The operation and purpose of the deinterleaver in the encoder unit is fully disclosed in the specification allowing one skilled in the art to make and use the invention in accordance with 35 U.S.C. § 112.

The examiner has applied a double patenting rejection against claims 1, 4, 7, 9 and 11. Without admitting to the propriety of the rejection but in order to overcome the rejection, a terminal disclaimer has been filed in accordance with 37 CFR § 1.321(c) to overcome the double-patenting rejections to the claims, and therefore all remaining claims should be deemed allowable.

Conclusion

In view of the amendments and remarks submitted above, it is respectfully submitted that all of the remaining claims are allowable and a Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this,

concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael K. Mutter, Reg.#29,680

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

MKM/CAG:tm

Attachment: Letter Requesting Initialed PTO 1449 Form
Application Data Sheet

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FIG.1 (Annotated Sheet Showing Changes)

